

Amendment No. 1 to HB0452

Jones U (Shel)
Signature of Sponsor

AMEND Senate Bill No. 1591

House Bill No. 452*

FILED
Date _____
Time _____
Clerk _____
Comm. Amdt. _____

by deleting all language after the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 57-3-207, is amended by adding the following as a new, appropriately designated subsection:

(o)

(1) Notwithstanding any provision of law, rule or regulation to the contrary, any non-profit association organized to encourage and support grape growing and winemaking in the state of Tennessee with ten (10) or more Tennessee licensed wineries as members shall be allowed to hold not more than eight (8) wine festivals per calendar year. Each festival shall not exceed a period of seventy-two (72) hours.

(2) Any Tennessee licensed winery participating in a festival authorized by this subsection shall be allowed to transport, serve and offer complimentary samples of their wines for tasting at such festival. The complimentary sample size shall be restricted to a one-ounce (1 oz.) serving with only one (1) sample per person for each type of wine. Any person serving wine at such festival shall possess a server permit from the commission as described in Title 57, Chapter 3, Part 7.

(3) Notwithstanding any provision of law, rule or regulation to the contrary, any Tennessee licensed winery participating in a festival authorized by this subsection shall be allowed to transport wine produced by such winery to sell at the festival for consumption off premises.

(4)

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(A) Any non-profit association authorized by this subsection to hold a wine festival shall apply for a special occasion license as defined in §57-4-102(20) in order for participating Tennessee licensed wineries to serve complimentary samples as described in subdivision (2) and to sell wine produced by such wineries for consumption off premises.

(B) Notwithstanding the provisions of §57-4-102(20)(A), a special occasion license issued for a wine festival authorized by this subsection shall be for the duration of such festival for which application is made for a period not to exceed seventy-two (72) hours. A special occasion license issued pursuant to this subsection shall only be available upon the payment of the fee as required by law for each separate day of the festival.

(C) Notwithstanding any provision of law, rule or regulation to the contrary, a non-profit association authorized to conduct a wine festival pursuant to this subsection shall be permitted to hold such festival in any municipality or county of the state in the manner provided in subdivision (5).

(5) Notwithstanding any provision of law, rule or regulation to the contrary, a non-profit association as defined in subdivision (1) is authorized to conduct a wine festival pursuant to this subsection in a municipality or county of the state which has approved the sale of

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alcoholic beverages or has a licensed winery located in such municipality or county, subject to complying with all permit requirements of such municipality or county, and in all other municipalities or counties upon receiving approval of the legislative body of such municipality or county to hold such a festival at a location and in such manner authorized by such legislative body.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.